

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 109th Congress¹**

[Date approved: November 29, 2005]²

Bill No. and sponsor: H.R. 2612 (Mr. Lee Terry of Nebraska).

Proponent name, location: Syngenta Crop Protection, Inc., Greensboro, NC.

Other bills on product (109th Congress only): None.

Nature of bill: Temporary duty suspension through December 31, 2008.

Retroactive effect: None.

Suggested article description(s) for enactment (including appropriate HTS subheading(s)):

8-(2,6-Diethyl-4-methylphenyl)-1,2,4,5-tetrahydro-7-oxo-7H-pyrazolo[1,2-d][1,4,5]oxadiazepin-9-yl
2,2-dimethylpropanoate (pinoxaden) (CAS No. 243973-20-8) (provided for in subheading 2934.99.15).

Check one: ☐ Same as that in bill as introduced.
☒ Different from that in bill as introduced (see Technical comments section).

Product information, including uses/applications and source(s) of imports:

This product, imported from the United Kingdom, is an active ingredient used in the formulation of herbicides for post emergence grass weed control in wheat and barley.

Estimated effect on customs revenue:

HTS subheading: <u>2934.99.15</u>					
	2005	2006	2007	2008	2009
Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$0	\$3,000,000	\$3,120,000	\$6,000,000	\$10,750,249
Customs revenue loss	\$0	\$195,000	\$202,800	\$390,000	\$698,766

Source of estimated dutiable import data: Industry estimates.

¹ Industry analyst preparing report: Jack Greenblatt (202-205-3353); Tariff Affairs contact: David Michels (202-205-3440).

² Access to an electronic copy of this memorandum is available at http://usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm.

Contacts with domestic firms/organizations (including the proponent):

Name of firm/organization	Date contacted	US production of same or competitive product claimed?	Submission attached?	Opposition noted?
		(Yes/No)		
Syngenta Crop Protection, Inc. (Proponent) Dawn Stump Tel: 202-347-7772	09/29/2005	No	No	No
Atofina Cerex Charles Kitchin Fax: 703-527-2092	10/07/2005	No	No	No
BASF Greg Thies Fax: 202-558-5101	10/07/2005	No	No	No
Bayer CropScience William Hensley Fax: 202-628-6622	10/07/2005	No	No	No
Crop Life America Lawrence Norton Fax: 202-463-0474	10/07/2005	No	No	No
Dow Chemical/Dow Agro Science Lisa Schroeter Fax: 202-429-3467	10/07/2005	No	No	No
DuPont Nancy Johnson Fax: 202-728-3649	10/07/2005	No	No	No
FMC Corp. Jerry Prout Fax: 202-956-5235	10/07/2005	No	No	No
LANXESS Corp. James Schaeffer Fax: 412-809-3614	10/07/2005	No	No	No
Monsanto Corp. Michael Parrish Fax: 202-789-1867	10/07/2005	No	No	No
Valent USA Robin Demouth Fax: 925-256-2776	10/07/2005	No	No	No

Technical comments:³

The Commission suggests that the article description on page 1 of this report be used because it is simpler.

³ The Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only the U.S. Customs Service is authorized to issue a binding ruling on this matter. The Commission believes that the U.S. Customs Service should be consulted prior to enactment of the bill.

109TH CONGRESS
1ST SESSION

H. R. 2612

To suspend temporarily the duty on Pinoxaden Technical.

IN THE HOUSE OF REPRESENTATIVES

MAY 24, 2005

Mr. TERRY introduced the following bill; which was referred to the Committee
on Ways and Means

A BILL

To suspend temporarily the duty on Pinoxaden Technical.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. PINOXADEN TECHNICAL.**

4 (a) IN GENERAL.—Subchapter II of chapter 99 of
5 the Harmonized Tariff Schedule of the United States is
6 amended by inserting in numerical sequence the following
7 new heading:

“	9902.90.16	Pinoxaden Technical – Pro- panoic acid, 2,2-dimethyl-,8- (2,6-diethyl-4- methylphenyl)-1,2,4,5- tetrahydro-7-oxo-7H- pyrazolo[1,2- d][1,4,5]oxadiazepin-9-yl ester (CAS No. 243973–20– 8) (provided for in sub- heading 2934.99.15)	Free	No change	No change	On or before 12/31/2008	”.
---	------------	--	------	-----------	-----------	----------------------------	----

1 (b) EFFECTIVE DATE.—The amendment made by
2 subsection (a) applies with respect to goods entered, or
3 withdrawn from warehouse for consumption, on or after
4 the 15th day after the date of the enactment of this Act.

○